

06-20-01

GP/1636 #6

EXPRESS MAIL CERTIFICATE

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PATENT TRADEMARK OFFICE

Docket No: 0630/1E791-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Vedrana SUSULIC; Emir DUZIC

Serial No.: 09/761/116

Art Unit: 1636

Confirmation No.: 3094

Filed: January 16, 2001

Examiner:

For: TRANSCRIPTIONAL REGULATION OF THE HUMAN BETA3  
ADRENERGIC RECEPTOR GENE

RESPONSE TO OFFICE ACTION

Hon. Commissioner of  
Patents and Trademarks  
Washington, DC 20231

June 19, 2001

Sir:

This submission responds to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated June 7, 2001 (copy enclosed). The time set for this response is August 7, 2001.

## **IN THE SPECIFICATION:**

Please include the enclosed copy of the Sequence Listing in the specification of this application.

## **REMARKS**

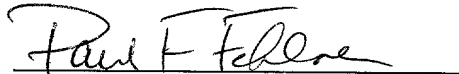
It was noted in the enclosed Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures that the divisional application filed on January 16, 2001, failed to comply with the requirements set forth in 37 C.F.R. §1.821 through §1.825. Specifically, the absence of submission of a computer readable form (CRF) copy of the Sequence Listing and a paper or compact disc copy of the Sequence Listing was cited.

## **STATEMENT PURSUANT TO 37 C.F.R. §1.821**

Pursuant to 37 C.F.R. §1.821, applicants herein state that the contents of the enclosed paper entitled "SEQUENCE LISTING," are identical to that filed in the computer readable form in parent Application No. 09/243,335, filed February 1, 1999, now U.S. patent No. 6,197,580, and that the sequence submission contains no new matter. In accordance with 37 C.F.R. §1.821(e), please use the last filed computer readable form filed in that application as the computer readable form in this application. A copy of the sequence listing is included herewith and inserted into the specification in this amendment.

Consideration of this response forwarding the enclosed paper copy of the  
sequence listing is respectfully requested.

Respectfully submitted,



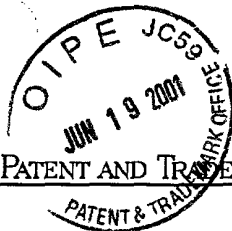
Paul F. Fehlner, Ph.D.

Reg. No. 35,135

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/761,116	01/16/2001	Vedrana S. Susulic	0630/1E791US1

CONFIRMATION NO. 3094

## FORMALITIES LETTER



\*OC00000006158268\*

DARBY & DARBY P.C.  
805 Third Avenue  
New York, NY 10022

Date Mailed: 06/07/2001

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

*4/15*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE